

17691. Adulteration of tomato puree. U. S. v. 39 Cans * * *. (F. D. C. No. 30937. Sample No. 9721-L.)

LIBEL FILED: April 27, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 22, 1951, by Franklin MacVeagh & Co., from Preble, Ind.

PRODUCT: 39 6-pound, 9-ounce cans, of tomato puree at Chicago, Ill.

LABEL, IN PART: (Can) "Sweetheart Deluxe Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: July 26, 1951. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

17692. Adulteration of unshelled pecans. U. S. v. 24 Cases, etc. (F. D. C. No. 30866. Sample Nos. 1008-L, 1009-L.)

LIBEL FILED: March 23, 1951, Southern District of Georgia.

ALLEGED SHIPMENT: On or about December 12, 1950, by Diehl Wholesale Grocery, Inc., and on or about February 10, 1951, by Frank C. Glueck & Co., from Cincinnati, Ohio.

PRODUCT: 32 cases, each containing 24 1-pound bags, of unshelled pecans at Waycross, Ga.

LABEL, IN PART: (Bag) "Gold Kist Brand Top Quality Pecans In The Shell."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rancid pecans.

DISPOSITION: April 30, 1951. Default decree of condemnation and destruction.

17693. Adulteration of unshelled pecans. U. S. v. 2 Bags * * *. (F. D. C. No. 30902. Sample No. 1501-L.)

LIBEL FILED: April 13, 1951, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 12, 1951, by the A. Levin Pecan Co., from Nashville, Ga.

PRODUCT: 2 100-pound bags of unshelled pecans at Hilliard, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy nuts, and it was otherwise unfit for food by reason of the presence of rancid and shriveled nuts.

DISPOSITION: May 14, 1951. Default decree of condemnation. The court ordered that, in lieu of destruction, the product be delivered to a public institution, for use as animal feed.

17694. Adulteration of black walnut meats. U. S. v. 2 Cartons * * * (and 1 other seizure action). (F. D. C. Nos. 31051, 31058. Sample Nos. 11400-L, 12199-L.)

LIBELS FILED: April 10 and 16, 1951, Southern District of Indiana and Northern District of Ohio.

ALLEGED SHIPMENT: On or about February 28 and March 15, 1951, by the Kentucky Black Walnut Co., from Stanford, Ky.

PRODUCT: Black walnut meats. 140 pounds at Cleveland, Ohio, and 40 pounds at Indianapolis, Ind.

LABEL, IN PART: (Cleveland Lot) "Black Walnut Kernels Blue Grass Champions Large."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, rodent hair fragments, and *E. coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 10 and 11, 1951. Default decrees of condemnation and destruction.

17695. Adulteration and misbranding of peanut butter. U. S. v. 13 Cases * * *. (F. D. C. No. 30907. Sample No. 812-L.)

LABEL FILED: April 10, 1951, Southern District of Florida.

ALLEGED SHIPMENT: On or about February 13, 1951, by Rose City Foods, Inc., from Thomasville, Ga.

PRODUCT: 13 cases, each containing 12 jars, of peanut butter at Miami, Fla.

LABEL, IN PART: (Jar) "Rose Kist Peanut Butter Net Wt. 31 Ozs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, rodent excreta, and rodent hairs; Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (b) (2), peanut butter with added dextrose had been substituted in whole or in part for peanut butter.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The product was short of the declared weight.

DISPOSITION: May 7, 1951. Default decree of condemnation and destruction.

POULTRY

17696. Adulteration of dressed poultry. U. S. v. 656 Pounds * * *. (F. D. C. No. 30864. Sample No. 5138-L.)

LABEL FILED: March 27, 1951, District of Rhode Island.

ALLEGED SHIPMENT: On or about March 6, 1951, by Vermont Poultry, Inc., from Bellows Falls, Vt.

PRODUCT: 656 pounds of dressed poultry in 10 crates at Providence, R. I.

LABEL, IN PART: (Crate) "Dymond Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of birds contaminated with crop material; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

DISPOSITION: April 20, 1951. Default decree of condemnation and destruction.

17697. Adulteration of dressed poultry. U. S. v. 141 Pounds * * *. (F. D. C. No. 30867. Sample No. 24311-L.)

LABEL FILED: March 27, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about March 10, 1951, by Rockingham Poultry Marketing Co-op., Inc., from Broadway, Va.

PRODUCT: 141 pounds of dressed poultry in 4 crates at New York, N. Y.